



Legislation Details (With Text)

File #: Res 0826-2015 **Version:** * **Name:** LU 260 - Zoning, Tres Puentes - 285 East 138TH ST, Bronx (N 150287 ZRX)
Type: Resolution **Status:** Adopted
In control: Committee on Land Use

On agenda: 8/13/2015

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 150287 ZRX, for an amendment of the Zoning Resolution of the City of New York, involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Community District 1, Borough of the Bronx (L.U. No. 260).

Sponsors:

Indexes:

Attachments: 1. August 13, 2015 - Stated Meeting Agenda with Links to Files, 2. Hearing Transcript of the Stated Meeting - August 13, 2015, 3. Committee Report, 4. Minutes of the Stated Meeting - August 13, 2015

Date	Ver.	Action By	Action	Result
8/12/2015	*	Committee on Land Use	Approved by Committee	
8/13/2015	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 826

Resolution approving the decision of the City Planning Commission on Application No. N 150287 ZRX, for an amendment of the Zoning Resolution of the City of New York, involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Community District 1, Borough of the Bronx (L.U. No. 260).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the West Side Federation for Senior and Supportive Housing, for an amendment of the text of the Zoning Resolution of the City of New York, involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Bronx Community District 1 (Application No. N 150287 ZRX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the application is related to Application C 150288 ZMX (L.U. No. 261), an amendment to the Zoning Map, Section No. 6a, changing from R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6 to R6/C1-4; C 150289 ZSX (L.U. No. 262), a special permit pursuant to Section 74-743(a)(2) to permit location of buildings without regard to applicable yard, court, distance between buildings and height and setback regulations; and C 150344 ZSX (L.U. No. 263), a special permit pursuant to Section 74-745(c) to waive the number of required

off-street accessory parking spaces;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP119X) issued on April 20, 2015 (the “Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 150287 ZRX, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

74-74

Large-Scale General Development

* * *

74-745

Accessory parking spaces and loading berths

Modifications of parking and loading regulations

For a #large-scale general development# the City Planning Commission may permit:

(a) Modification of location requirements

When a #large-scale general development# includes two or more #zoning lots#, the City Planning Commission may permit required or permitted #accessory# off-street parking spaces, bicycle parking spaces or loading berths to be located anywhere within a #large-scale general development# without regard for #zoning lot lines#, provided that the Commission shall find:

- (1) such off-street parking spaces, bicycle parking spaces and loading berths will be conveniently located in relation to the #use# to which such spaces or berths are #accessory#;
- (2) such location of off-street parking spaces, bicycle parking spaces and loading berths will result in a better site plan; and
- (3) such location of off-street parking spaces, bicycle parking spaces and loading berths will not unduly increase the number of spaces in any single #block#, draw excessive traffic through local #streets#, or otherwise adversely affect traffic conditions in the surrounding area.

Whenever required off-street parking spaces, bicycle parking spaces and loading berths are permitted to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# shall be kept available for such #building# throughout its life.

(b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, that contains one or more #retail or service uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment exceeds 8,500 square feet in #floor area#, the City Planning Commission may waive or reduce the number of required loading berths, provided that:

- (1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;
- (2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;
- (3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and
- (4) such modification will not impair or adversely affect the development of the surrounding area.

(c) Reduction of parking requirements

For #buildings# on #zoning lots# in a #large-scale general development#, within R7-2 Districts in Community District 1 in the Borough of the Bronx, that contain a #non-profit residence for the elderly#, the City Planning Commission may waive or reduce the number of required #accessory# off-street parking spaces, including any spaces previously required for an existing #building# provided that the Commission finds:

- (1) that the anticipated automobile ownership patterns for residents of such #non-profit residence for the elderly# are minimal and that such waiver or reduction is warranted;
- (2) that such waiver or reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area; and
- (3) that such waiver or reduction of parking spaces will result in a better site plan with better quality

open areas.

In determining the amount of parking spaces to waive or reduce, the Commission may take into account current automobile ownership patterns for an existing #non-profit residence for the elderly# on the #zoning lot#, as applicable.

The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on August 13, 2015, on file in this office.

.....
City Clerk, Clerk of The Council